

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MICROSOFT CORPORATION,)	
)	
Plaintiff,)	8:06CV263
)	
vs.)	ORDER
)	
JAY D. SMITH,)	
)	
Defendant.)	

This matter is before the court on the parties' Stipulation for Dismissal with Prejudice (Filing No. 35). The court finds that the parties' joint stipulation should be granted in accordance with Fed. R. Civ. P. 41(a)(1)(ii).

IT IS ORDERED that the parties' joint stipulation (Filing No. 35) is adopted and this case is dismissed with prejudice, each party to bear its own costs.

DATED this 8th day of January, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge